



BOROUGH OF WEST LONG BRANCH
REGULAR MEETING OF THE ZONNG BOARD
956 Broadway, West Long Branch, NJ 07764
February 25, 2021

Virtual Meeting via ZOOM

1. ROLL CALL:

Paul Santorelli, Jr., Chairman	Present
Pamela Hughes, Vice Chairperson	Absent
Robert Venezia	Present
Michael Schulz	Present
Mark Engel	Present
Scott LaMarca	Present
Paul Giglio	Absent
Alex LaSalle	Present
Gregg Malfa	Absent
Michael Irene, Board Attorney	Present
Libby Waterbury, Board Engineer	Present
Lisa Norman, CSR	Present
Chris Ann DeGenaro, Secretary	Present

2. Open Public Meeting s Act: At 7:07 PM, Mr. Santorelli opened the meeting by reading the notice that the meeting complies with the Open Public Meeting act, by notification in the Asbury Park Press and Star Ledger and posted on the bulletin board in Borough Hall and a copy of the notice is available from the Borough Clerk.

3. Pledge of allegiance: Chairman Santorelli led the audience and members of the public in the flag salute.

4. Review and approval of the minutes for 12/17/2020 with corrections

RESULT: APPROVED
MOVED BY: Venezia
SECONDED BY: Engel
AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel
NAYS: None
ABSENT: Hughes, Giglio, Malfa
ABSTAIN: None

5. **Resolutions:** Professional Contracts and Resolutions

A.) Appointment of Board Attorney

RESULT: APPROVED

MOVED BY: Venezia

SECONDED BY: LaMarca

AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel

NAYS: None

ABSENT: Hughes, Giglio, Malfa

ABSTAIN: None

B.) Appointment of Board Engineer -

RESULT: APPROVED

MOVED BY: Venezia

SECONDED BY: Schulz

AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel

NAYS: None

ABSENT: Hughes, Giglio, Malfa

ABSTAIN: None

C.) Appointment of Recording Secretary

RESULT: APPROVED

MOVED BY: Venezia

SECONDED BY: Engel

AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel

NAYS: None

ABSENT: Hughes, Giglio, Malfa

ABSTAIN: None

D.) Appointment of CSR

RESULT: APPROVED

MOVED BY: LaMarca

SECONDED BY: Venezia

AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel

NAYS: None

ABSENT: Hughes, Giglio, Malfa

ABSTAIN: None

6. Items of Business:

Applications:

West LB Realty, Inc. (Completeness Waivers)

Use D-1 Variance (ZB 2019-03)

207 Monmouth Rd. Block: 67 Lot: 32 (OP Zone)

Mr. Irene discussed the requirements of seven board members for a D variance and various options to hear testimony and/or provide transcripts of testimony to absent board members.

Rick Brodsky, Esq., Attorney for the Applicant, appeared instead of Mr. Falvo. Mr. Brodsky discussed details of the application. Mr. Irene noted the application was carried twice without the requirement for renote. Ms. Waterbury, Board Engineer, was sworn.

Ms. Waterbury discussed completeness requirements in her letters dated February 24, 2021 and July 23, 2020, including a key map, location of streams and floodplains, easements on the site, waiver of Environmental Commission site plan review, building elevations and floor plan, proof of taxes being current, all dependent on testimony provided by applicant's witnesses.

There was discussion regarding streams and floodplains and the key map before completeness would be approved. Mr. Brodsky explained the Applicant's reasons for the waiver requests, in particular that there is no proposal for new construction.

RESULT:	APPROVED
MOVED BY:	LaMarca
SECONDED BY:	Engel
AYES:	Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel
NAYS:	None
ABSENT:	Hughes, Giglio, Malfa
ABSTAIN:	None

Mr. Brodsky explained the use variance request is for a hardwood floor company to use a portion of the existing building for storage.

EXHIBITS:

A-1 – Existing Floor Plan, prepared by James Watt, Architect, dated 12/3/2018 (1 sheet)

A-2 – As Built Survey, prepared by Robert H. Morris Nelson Engineering Associates, dated 4/20/2011, revised 11/30/2018

A-3 – Minor Site Plan, prepared by David H. Boesch, Nelson Engineering Associates, dated 1/15/2021, revised 1/29/2021 (1 sheet)

A-4 – Photograph of existing site by Barbara Ehlen, dated 2/24/21

Edilson Dedeus, operator of Floor Experts, was sworn. Mr. Brodsky elicited testimony from Mr. Dedeus regarding the nature of his business and the nature of the use of the building for tool storage, number of vans that come to the gas station on a daily basis. No chemicals or liquids are stored there. There will be no customers or office. There was discussion regarding the number of vans gassing up, observance by members of flammable liquids being unloaded into the storage shed, the length of time Floor Experts has been using the storage, pending notices of violations issued by the Zoning Officer, revising the site plan to indicate the location of the dumpster, additional concerns regarding storage of flammable liquids at a gas station.

Chairman Santorelli opened the meeting to the public for question of Mr. Dedeus. Hearing none, he closed that portion of the meeting

Sal Dellomo, WLB Realty, Inc. owner of the property, was sworn. Mr. Brodsky elicited testimony from Mr. Dellomo regarding the use of the empty front two bays at the station by Floor Experts. Mr. LaSalle had questions regarding the mechanic's use at the rear of the property, which Mr. Dellomo addressed. Mr. Engel had additional questions regarding storage of flammable liquids.

There was further discussion regarding fire suppression requirements. Ms. Waterbury had questions regarding storage in the rear. Mr. Dellomo advised that his tenant (a mechanic) had responsibility for the storage in the rear.

Chairman Santorelli opened the meeting to the public for questions of this witness. Hearing none, he closed that portion of the meeting.

Barbara Ehlen, Applicant's Planner, of Beacon Planning, was sworn, provided her education and qualifications and was accepted as an expert in the field of planning. Ms. Ehlen testified that she reviewed the plans for use of an existing structure for storage by a wood flooring company. She described the existing use for the location, including the mechanic tenant. She introduced and described Exhibit **A-4**, also describing the suitability of the site for the flooring company storage. She explained how the site is particularly suited for this use because of its established characteristics. She discussed the Medici criteria, the Master Plan and the Municipal Land Use Law. She opined that the positive criteria outweighed the negative impacts of the project. There was discussion regarding future tenants and use, and conditions of approval. Ms. Ehlen explained that the proposed project is compatible to the existing uses on site.

There was discussion regarding a previous application for a convenience store on site, non-conforming uses, impacts on the community.

Chairman Santorelli opened the meeting to the public for questions of this witness. Hearing none, he closed that portion of the meeting.

Mr. Irene explained the process for absent board members to be eligible for voting if they reviewed a transcript or listened to the recording of the meeting.

Mr. Brodsky provided his closing arguments and requested the Application be carried in order to have a full board of seven members to hear and vote on the D variance.

RESULT: APPROVED (Carry to March 25, 2021)
MOVED BY: LaMarca
SECONDED BY: Engel
AYES: Santorelli, Venezia, Schulz, LaMarca, LaSalle, Engel
NAYS: None
ABSENT: Hughes, Giglio, Malfa
ABSTAIN: None

7. Adjournment
Motion to adjourn at 10:01 PM by LaMarca seconded by Engel and approved by the Board.